

4-28-2008

Letter by Amnesty International Canada to Minister Bernier dated 28 April 2008

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/amac>

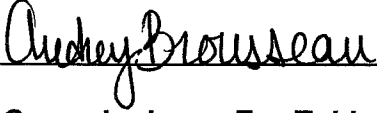
Recommended Citation

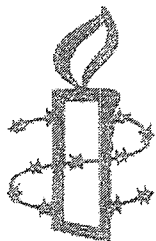
"Letter by Amnesty International Canada to Minister Bernier dated 28 April 2008" (2008). *Applicant's Motion for Advanced Costs, June 2008*. 10.

<http://digitalcommons.osgoode.yorku.ca/amac/10>

This Applicant's (moving party) Motion Record is brought to you for free and open access by the Abdelrazik v Minister of Foreign Affairs et al at Osgoode Digital Commons. It has been accepted for inclusion in Applicant's Motion for Advanced Costs, June 2008 by an authorized administrator of Osgoode Digital Commons.

THIS IS EXHIBIT 0 TO THE
AFFIDAVIT OF YAVAR HAMEED
AFFIRMED ON JUNE 17, 2008


A Commissioner For Taking Affidavits



Amnesty International

CANADA

1-800-266-3789

www.amnesty.ca

The Honourable Maxime Bernier
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario
K1A 0A6

April 28, 2008

Dear Minister Bernier,

We are writing to express concern and seek further information with respect to the situation of Abousfian Abdelrazik, whose case we have begun to review. His case has of course been outlined in considerable detail in today's Globe and Mail.

Mr. Abdelrazik is a dual Canadian/Sudanese national. It appears that he has been of interest to both CSIS and to foreign intelligence agencies because of his alleged links to individuals who may have knowledge of or been involved in terrorist activities. He was, for instance, a witness for the prosecution in the trial of former Montreal resident, Ahmed Ressam. We are not at this time aware of any allegations that Mr. Abdelrazik himself has knowledge of or has been involved in such activities. To our knowledge Mr. Abdelrazik has not been charged with any criminal offence, in Canada, Sudan or any other country, nor is he the subject of any arrest warrant.

Mr. Abdelrazik claims that he was subject to considerable scrutiny by CSIS, which he felt to be harassment, while he was living in Montreal. Finding this unbearable he traveled to Sudan in March 2003. In August 2003 Mr. Abdelrazik was detained by Sudanese authorities and was held until July 2004. He was subsequently taken into custody again in November 2005 and held until July, 2006. Over the course of these two periods of detention he was held primarily in Khartoum's notorious Kober Prison. He claims that he was subject to mistreatment while in detention.

For several years Mr. Abdelrazik and his family have been actively seeking to arrange his return to Canada. He has been unable to do so. It is our understanding that he has faced a number of obstacles, notably:

- the government of Canada's refusal to issue Mr. Abdelrazik with a passport;
- the fact that commercial airlines refuse to allow him to fly because he has been listed since the summer of 2006 on international no-fly lists, pursuant to a UN Security Council designation
- the government of Canada's failure to take up a Sudanese government offer to allow Mr. Abdelrazik to return to Canada on a private aircraft; and

- the government of Canada's refusal to issue Mr. Abdelrazik with an emergency passport unless and until he is able to demonstrate a confirmed travel itinerary.

Mr. Abdelrazik has therefore effectively been exiled from Canada and trapped in Sudan for close to four years. He has no means of support in the country and is reliant, we understand, on an ongoing loan of \$100 per month that he receives from Canadian officials in Khartoum. He faces some serious health concerns. He continues to fear that he will be detained again and mistreated.

We have been provided with extensive documentation on Mr. Abdelrazik's case and we have met with his legal team. We have reviewed the further details in the Globe and Mail article. Amidst the documentation we have noted what appears to be an undated memorandum on Mr. Abdelrazik's case that was prepared or received by CSIS. Referring to his incarceration in Sudan, the document states that:

"Sudanese authorities readily admit that they have no charges pending against him but are holding him at our request."

This passage raises very serious questions and possible concerns about Canada's role in Mr. Abdelrazik's case which Amnesty International asks that you clarify immediately. Our concerns are heightened because this case arises during the same time period in which we know that the actions of Canadian officials did contribute to the unlawful detention of Canadian citizens in other countries where they were subjected torture and other serious human rights violations. This is clear from the findings of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. It is also presently being examined in the context of the Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin.


At this time Amnesty International would very much appreciate receiving further information with respect to the following points:

- What role if any did Canada play in the decision of Sudanese officials to arrest Mr. Abdelrazik in August 2003?
- What role if any did Canada play in the ongoing detention of Mr. Abdelrazik until July 2004?
- What explanation can be offered regarding the apparent Sudanese position that they were only holding Mr. Abdelrazik at the request of the Canadian government?
- Given Mr. Abdelrazik's precarious situation in Sudan, what steps is the Canadian government taking to ensure that he is able promptly and safely to return to Canada? If there are concerns about Mr. Abdelrazik's possible involvement in or support of terrorist activities those could and should be dealt with under the Canadian justice system.

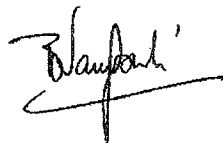
Amnesty International has consistently recognized that governments have not only the right, but in fact the responsibility, to respond to concerns about terrorism. It is indeed imperative that governments act decisively to counter terrorist threats. We have repeatedly underscored, however, the vital importance of ensuring that government action proceeds in full conformity with international human rights standards, including protections against torture, arbitrary arrest and detention, and unfair trials.

We look forward to receiving further information with respect to the points we have raised.

Sincerely,



Alex Neve
Secretary General
Amnesty International Canada
(English branch)



Beatrice Vaugrante
Directrice Générale
Amnistie internationale Canada francophone

cc. Yavar Hameed, counsel to Mr. Abdelrazik